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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,630	09/26/2001	Philippe Gentric	PHFR 000100	9728
24737 7590 08/10/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER SHIN, KYUNG H	
			ART UNIT 2143	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/963,630	Applicant(s) GENTRIC, PHILIPPE	
	Examiner Kyung H. Shin	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 5, 9, 10, 12, 15 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 5, 9, 10, 12, 15 - 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/17/2007 has been entered.
2. Claims **1 – 5, 9, 10, 12, 15 - 20** are pending. Claims **1 - 5, 9, 10, 12, 15 - 20** have been amended. Claims **6 - 8, 11, 13, 14** have been cancelled. Independent claims are **1, 8, 16**.

Response to Arguments

3. Applicant's arguments, filed 1/30/07, with respect to the rejection(s) of claim(s) **claims 1-20** under **Ellis et al.** (US Patent No. 6,774,926) in view of **Killian** (US Patent No. 6,163,316) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **Barrett et al.** (US Patent No. **6,005,597**)..

Claim Rejections - 35 USC § 102

4. Claims 1 – 5, 9, 10, 12, 15 - 20 are rejected under 35 U.S.C. 102(e) as being anticipated by **Barrett et al.** (US Patent No. 6,005,597).

Regarding Claim 1, Barrett discloses a receiver of data originating from many programs, the receiver comprising:

- a) an input device for receiving a plurality of programs simultaneously; (see Barrett col. 11, lines 48-51: input device (controller); col. 1, lines 13-18; col. 4, lines 15-22; col. 12, lines 51-62; simultaneous access to multiple channels (programs))
- b) a plurality of program receiving devices coupled to the input device; (see col. 11, lines 44-48: multiple receiving devices)
- c) a controller operatively coupled to each of said plurality of program receiving devices, said controller controlling said plurality of program receiving devices to tune to respective ones of said plurality of programs; (see Barrett col. 11, lines 48-51: controller coupled to receiving device, tune to particular channel (program); col. 12, lines 51-62; simultaneous access to multiple channels (programs))
- d) a reproduction device for reproducing programs; (see Barrett col. 11, lines 45-48: VCR reproduction device (reproduce programs))
- e) a switch coupled to respective outputs of said plurality of program receiving devices, and to an input of the reproduction device; (see Barrett col. 11, lines 48-51: controller (switch) coupled to receiving devices; col. 11, lines 45-48: inputs/outputs (coupling) between receiving devices and VCR (reproduction

device)) and

- f) a user interface coupled to said controller for inputting a users desire for a selected program of said respective ones of said plurality of programs, wherein the switch is controlled by said controller to selectively connect the output of one of the plurality of program devices tuned to the selected program to the input of the reproduction device. (see Barrett col. 12, lines 56-62; col. 14, lines 9-13: user interface, modify user interest (preferences); col. 11, lines 48-51: controller coupled to receiving device, tune to particular channel (program))

Regarding Claim 2, Barrett discloses the receiver as claimed in claim 1 characterized in that said user interface comprises: a program indication element coupled to said controller for showing a list of said respective ones of said plurality of programs to which said plurality of program receiving devices are tuned. (see Barrett col. 2, lines 59-64; col. 12, lines 56-62: user interface to show a listing of multiple programs that receiving devices can access; col. 4, lines 15-22: receiving devices are tuned to multiple programs)

Regarding Claim 3, Barrett discloses the receiver as claimed in claim 1 characterized in that the controller selects the programs to which the plurality of program receiving devices from a list of programs numbering higher than a number of program receiving devices, and in that the controller evolves the list as a function of the user's choice. (see Barrett col. 11, lines 48-51: controller selects or program for receiving device; col.

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4, lines 5-7; col. 2, lines 17-22: list created, sorted (evolved) by user preferences, viewer profile (preferences input by user interface); col. 1, lines 13-18: number of programs (hundreds) greater than number of receiving devices (2 or more))

Regarding Claim 4, Barrett discloses the receiver as claimed in claim 1, characterized in that access to additional programs in said plurality of programs takes place in a sequential manner by clearing and loading one of the program receiving devices. (see Barrett col. 4, lines 15-22: access to programs, program successively display in main and smaller window, window cleared and new program displayed)

Regarding Claim 5, Barrett discloses the receiver as claimed in claim 1 characterized in that the plurality of programs come from the Internet. (see Barrett col. 2, lines 44-49: multiple program list; col. 12, lines 5-8: Internet communications path for multiple programs)

Regarding Claim 9, Barrett discloses the receiver as claimed in claim 1, wherein each of the plurality of program receiving devices processes a program received from the input device. (see Barrett col. 11, lines 48-51: input device (controller); col. 11, lines 44-48: receiving devices process programs received from input device (controller))

Regarding Claim 10, Barrett discloses the receiver as claimed in claim 1, wherein the input device receives a plurality of programs simultaneously and each of the plurality of

program receiving devices receives one of the plurality of programs. (see Barrett col. 11, lines : controller (input device); col. 1, lines 13-18; col. 1, lines 13-18; col. 12, lines 51-62: access to multiple programs simultaneously; col. 11, lines 44-45: receiving device receives a channel (program))

Regarding Claim 12, Barrett discloses the receiver as claimed in claim 1, wherein the reproduction device comprises a display screen. (see Barrett col. 11, lines 45-48; col. 11, line 62 - col. 12, line 1: VCR (reproduction device), television monitor (display screen) utilized)

Regarding Claim 15, Barrett discloses the receiver as claimed in claim 1, wherein the user interface causes the controller to rotate the program from one of the program receiving devices to another of the program receiving devices. (see Barrett col. 12, lines 63-65: user selects program to view; col. 12, lines 51-62: receiving devices display programs (main display, smaller display))

Regarding Claim 16, Barrett discloses a method comprising the steps of:

- a) receiving a plurality of programs; (see Barrett col. 4, lines 15-22; col. 12, lines 51-62; simultaneous access to multiple channels (programs))
- b) providing simultaneously to each of a plurality of receiving devices, a respective one of the plurality of programs; (see Barrett col. 11, lines 44-48: multiple receiving devices) and

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- c) providing, an output from one of the receiving devices to a reproduction element in response to a user selecting one of the programs already being provided to said one of said plurality of receiving devices. (see Barrett col. 11, lines 45-51: VCR (reproduction device), input/output interfaces (coupling) between receiving devices, VCR(s), controller))

Regarding Claim 17, Barrett discloses the method as claimed in claim 16, wherein said method further comprises the step of: changing the plurality of programs provided to each of the receiving devices. (see Barrett col. 11, lines 48-51: controller enable tuning to selected channels (programs))

Regarding Claim 18, Barrett discloses the method as claimed in claim 16, wherein said method further comprises the step of: processing each of the programs provided to the plurality of receiving devices. (see Barrett col. 12, lines 51-62: each program is processed; col. 12, lines 63-65: program is displayed, viewer selects program(s) for viewing)

Regarding Claim 19, Barrett discloses the method as claimed in claim 17, wherein said method further comprises the step of: changing from the output of said one receiving device to the output of another of the receiving devices to be applied to the reproduction element. (see Barrett col. 11, lines 44-48: VCR (reproduction device), inputs/outputs interfaces between controller, receiving devices, VCR (receiving device), satellite

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receiving device)

Regarding Claim 20, Barrett discloses the method as claimed in claim 15, wherein the reproduction element comprises a display screen. (see Barrett col. 11, lines 44-48: VCR (reproduction device); col. 11, line 62 - col. 12, line 1: television monitor (display screen))

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H. Shin whose telephone number is (571) 272-3920. The examiner can normally be reached on 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kyung Hye Shin
Patent Examiner
Art Unit 2143

Kyung Hye Shin
KHS

July 23, 2007